



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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[www.epa.gov/region8](http://www.epa.gov/region8)

Ref: 8ENF-L

Mr. Joseph G. Harrington  
Mine Water Finance LLC  
P.O. Box 3729  
Englewood, Colorado 80155

RE: London Mine, Park County, Colorado

Dear Mr. Harrington:

I am writing in response to your inquiries to the U.S. Environmental Protection Agency concerning the London Mine, located in the headwaters of South Mosquito Creek, approximately 4 miles west of the Town of Alma in Park County, Colorado (Property). The purpose of this letter is to provide you with information the EPA has about the Property. I hope the information in this letter enables you to make informed decisions regarding the Property.

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, commonly referred to as Superfund), the EPA's mission is to protect human health and the environment from the risks posed by contaminated or potentially contaminated lands. In doing so, it is the Agency's priority to return lands to productive reuse. The EPA is issuing this letter consistent with the EPA's current guidance.

### **Background**

The Property includes an inactive gold and silver mine. Our records indicate that mining activities occurred at the Property beginning in the 1870s and at various times until 1991. The Property also includes approximately 130 acres of waste rock, tailings and other mining related disturbances.

The EPA initiated a preliminary assessment of the Property under CERCLA in 1995 and performed a site investigation in 1996. In 2010 the EPA assigned a "no further remedial action planned" designation to the Property.

The Colorado Division of Reclamation Mining and Safety reclaimed about 8.5 acres of tailings at the Property along South Mosquito Creek in 2013 to 2014. It implemented the London Butte Project from 2013 to 2014, reclaiming another 6 acres of tailings. In 2014 the Colorado Department of Public Health and Environment re-evaluated the Property and recommended a "no further remedial action planned" designation.

Our records indicate that Mine Water, LLC took title to the Property in November 2016 and entered into a Compliance Order on Consent and Settlement Agreement with the Colorado Department of Public

Health and Environment, Water Quality Control Division. in connection with two Colorado Discharge Permit System permits. The company's activities at the Property include in-situ treatment of waters within the mine pool, as permitted under an Authorization by Rule issued in May 2014 from the EPA Region 8 UIC program, to prevent discharge in excess of discharge standards.

The EPA is only providing you with information regarding the EPA's Superfund actions at the Property. You should contact the Colorado Division of Reclamation Mining and Safety and the Colorado Department of Public Health and Environment for more information about potential state actions and liability issues.

This letter is not intended to limit or affect the EPA's authority under CERCLA or any other law or to provide a release from CERCLA liability. The EPA encourages you to consult with legal counsel, an environmental professional, and the appropriate state, tribal, or local environmental protection agency before taking any action to acquire, clean up, or reuse potentially contaminated property. It is your responsibility to ensure that the proposed use of the Property complies with any federal, state, local, and/or tribal laws or requirements that may apply.

Sincerely,

Victor Ketellapper  
Site Assessment Manager